

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 3142 – SB 3100

March 10, 2010

SUMMARY OF AMENDMENT (015168): Increases the civil penalty for the violation of an order of protection of a court-approved consent agreement from \$50 to an amount that does not exceed \$500.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue - \$481,000/Domestic Violence Community Education Fund

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Revenue – Less than \$481,000/Domestic Violence Community Education Fund

Assumptions applied to amendment:

- According to the Department of Finance and Administration, approximately 7,400 orders of protection are served annually. Approximately one-fifth, or 1,480 (7,400/5), are violated each year resulting in revenue of \$74,000.
- The Department estimates that an increase in penalty will deter some individuals from violating the orders of protection. If violations are reduced by 25 percent, the increased penalty of \$500 would apply to approximately 1,110 [1,480 x (1-.25)] violations resulting in revenue of \$555,000.
- Since the civil penalty can be of an amount up to \$500, it is assumed that the increase in revenue will be of an amount that is less than \$481,000 (\$555,000 - \$74,000).
- Pursuant to Tenn. Code Ann. § 36-3-610 (c), all funds collected are deposited into the Domestic Violence Community Education Fund.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

James W. White, Executive Director

/kml